

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Method for Detecting and Isolating Genes the specification of which:



_____ is attached hereto.
X was filed on May 14, 1999
as United States Application Number 09/308,164
or PCT International Application Number _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| <u>Prior Foreign Application(s)</u> | | | <u>Priority Claimed</u> | |
|-------------------------------------|-------------------------|---|-------------------------|-----------|
| <u>PCT/JP97/04126</u> (Number) | <u>PCT</u> (Country) | <u>12-November-1997</u> (Day/Month/Year Filed) | <u>Yes</u> | <u>No</u> |
| <u>8/305163</u> (Number) | <u>JP</u> (Country) | <u>15-November-1996</u> (Day/Month/Year Filed) | <u>X</u> Yes | <u>No</u> |
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year Filed) | <u>Yes</u> | <u>No</u> |

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

| | |
|-------------------------------|----------------------|
| _____ (Application Number) | _____ Filing Date |
|-------------------------------|----------------------|

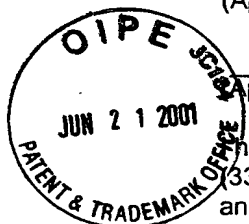
I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this

application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Number) _____ Filing Date _____ (Status – patented, pending, abandoned)

(Application Number) _____ Filing Date _____ (Status – patented, pending, abandoned)

(Application Number) _____ Filing Date _____ (Status – patented, pending, abandoned)



I hereby appoint Mark R. Shanks (33,781), Toni-Junell Herbert (34,348), Christopher H. Lynt (33,619), Chester T. Barry (40,327), Maria L. Maebius (42,967), Keith D. Hutchinson (43,687), and the attorneys of SHANKS & HERBERT, telephone (703) 683-3600, with a mailing address at:

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with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

The undersigned hereby authorizes the U.S. Attorneys named herein to accept and follow instructions from undersigned's assignee, if any, and/or, if the undersigned is not a resident of the United States, the undersigned's domestic attorney, patent attorney or patent agent, as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

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